

ADOPTED BY
NOV 20 2000
COUNCIL

Entered - 06/22/00 - sb
CL 00L0392 - GWENDOLYN BURNS

00-R -1809

CLAIM OF: GEORGIA POWER
ATTN: David Wood
96 Annex
Atlanta, Georgia 30396

For property damages alleged to have been sustained when a sanitation vehicle pulled down electrical wires on April 7, 2000 at 176 Ottley Drive, NE

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Georgia Power** the sum of **\$593.41** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained when a sanitation vehicle pulled down electric wires on April 7, 2000 at 176 Ottley Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: Rosalind Rubens Newell **FAVORABLE REPORT**
ROSALIND RUBENS NEWELL COM. Public Safety
DEPUTY CITY ATTORNEY

DATE

11/14/00
1-CHIM. Clara Kinison
Mark...
...
...
...

APPROVED

NOV 29 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1809

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Georgia Power c/o David Wood** in the sum of **\$593.41** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **when a sanitation vehicle pulled down electrical wires on April 7, 2000 at 176 Ottley Drive, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

November 20, 2000

November 29, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0392

Date: November 2, 2000

Claimant /Victim GEORGIA POWER COMPANY
BY: (Atty) (Ins. Co.) _____
Address: 96 Annex, Atlanta, Georgia 30396
Subrogation: _____ Claim for Property damage \$ 593.41 Bodily Injury \$ _____
Date of Notice: 6/20/00 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) X
Date of Occurrence 4/7/00 Place: 176 Ottley Drive, NE
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Linda Blackmon Disciplinary Action: None

NATURE OF CLAIM: Claimant sustained property damage when overhead cables were pulled down by a city sanitation truck during its dumping process.

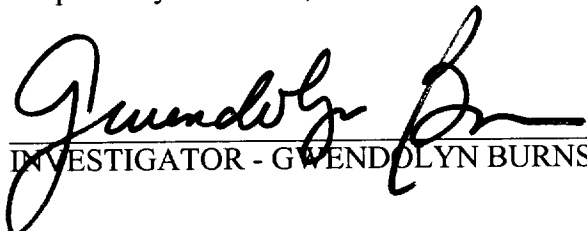
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

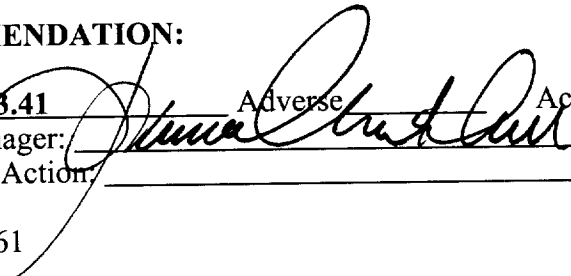
Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 593.41 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 11-02-00
Committee Action _____ Council Action _____

PAST DUE

GP

Georgia Power Company
96 Annex, Atlanta, Ga. 30396

Invoice Number

0000-009714-872-00100-002203

Billing Date

06-14-00

Payment Due Date

UPON RECEIPT

Amount Due

593.41

CITY OF ATLANTA
DEPT OF LAW

68 MITCHELL ST SW, #4100
ATLANTA GA 30335-0332

ENTERED - 6-22-00 - SB
00L0392 - GWEN BURNS

Office	Item	
Month	Day	Year

Amount Paid

When paying by mail, please return this portion.

Invoice Number

0000-009714-872-00100-002203

BILLED AMOUNT

Amount

593 41

TOTAL AMOUNT PAST DUE

593 41

PAST DUE

For Information, Please Call

404-506-6285
PLEASE DISREGARD PAST
DUE AMOUNT IF PAID

CITY OF ATLANTA
68 MITCHELL ST SW, #4100

PAST DUE

Location of Service

176 OTTLEY DR NE

GEORGIA POWER

A SOUTHERN COMPANY

Description of Sale or Service

COST TO REPAIR OVERHEAD CABLE
DAMAGED BY CITY DUMP TRUCK WITH BED UP
LINDA BLACKMON, DRIVER
QUESTIONS, DAVID WOOD
INCIDENT DATE: 04-07-00

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0392

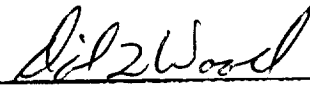
\$ 593.41

IN CONSIDERATION of the sum of FIVE HUNDRED AND NINETY-THREE AND 41/100
DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,
I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,
its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and
expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly
for or on account of property damage sustained when a sanitation vehicle pulled down electrical wires
which occurred on or about the 7th day of April, 2000,
at or near 176 Ottley Driver, NE

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 30 day of October, 2000

 (LS)
GEORGIA POWER

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.


WITNESSES

00- R -1809

Council President Pro Tem Starnes
Presided

RCS# 2401
11/20/00
2:00 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-18

00-R-1849
(Morris Voted NAY)

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-1111
00-R-1693
00-R-1694
00-R-1695
00-R-1696
00-R-1697
00-R-1804
00-R-1835

CONSENT

		11/20/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1690 2. 00-O-1691 3. 00-O-1692 4. 00-O-1845 5. 00-O-1864 6. 00-O-0728 7. 00-R-1702 8. 00-R-1703 9. 00-R-1705 10. 00-R-1707 11. 00-R-1850 12. 00-R-1865 13. 00-R-1851 14. 00-R-1873 15. 00-R-1622 16. 00-R-1623 17. 00-R-1699 18. 00-R-1775* 19. 00-R-1776* 20. 00-R-1777* 21. 00-R-1782 22. 00-R-1687 23. 00-R-1668 24. 00-R-1786 25. 00-R-1789 26. 00-R-1799 27. 00-R-1800 28. 00-R-1813 29. 00-R-1814	30. 00-R-1815 31. 00-R-1849# 32. 00-R-1858 33. 00-R-1862 34. 00-R-1787* 35. 00-R-1790 36. 00-R-1791 37. 00-R-1794 38. 00-R-1798 39. 00-R-1861 40. 00-R-1686 41. 00-R-1843 42. 00-R-1869 43. 00-R-1870 44. 00-R-0973 45. 00-R-0816 46. 00-R-1803 47. 00-R-1805 48. 00-R-1806 49. 00-R-1807 50. 00-R-1808 51. 00-R-1809 52. 00-R-1810 53. 00-R-1811 54. 00-R-1812	55. 00-R-1816 56. 00-R-1817 57. 00-R-1818 58. 00-R-1819 59. 00-R-1820 60. 00-R-1821 61. 00-R-1822 62. 00-R-1823 63. 00-R-1824 64. 00-R-1825 65. 00-R-1826 66. 00-R-1827 67. 00-R-1828 68. 00-R-1829 69. 00-R-1830 70. 00-R-1831 71. 00-R-1832 72. 00-R-1833 73. 00-R-1834 74. 00-R-1836 75. 00-R-1837 76. 00-R-1838 77. 00-R-1839 78. 00-R-1840 79. 00-R-1841 80. 00-R-1842 * President Pitts recused himself. # Lee Morris not voting.